

"PV14"

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AFFIDAVIT

I, the undersigned

REYMOND MAPAKATA

do hereby make oath and state that:

1. I am a 26 year old male born in Zimbabwe on 18 June 1983. I currently live at the Central Methodist Mission, Johannesburg ("the Church") situated at Pritchard Street, Johannesburg, and attend school nearby.
2. Except where the context indicates otherwise, the facts stated in this affidavit are within my personal knowledge and, to the best of my knowledge and belief, are both true and correct.
3. I came to South Africa around April 2007 to look for work, after being unsuccessful finding work in Zimbabwe. My aim was to obtain employment to support my family back home. I started working as a welder in Polokwane, Limpopo. I was helping to build structures. I stayed working there for about 7 months and in November 2007, I moved to Hillbrow in order to find work in Johannesburg.
4. At first, I was able to find work as a security guard and stayed working in that job for many months, until August 2008.

R. M. P


Previous Encounters with the Police

5. During the outbreak of xenophobic violence in 2008, I was assaulted by police officers. I was beaten by the police very badly and I have scars on my body: one on my head from where they kicked me into the ground and another from where the handcuffs cut into my wrists. They told me that Zimbabweans are making trouble here in South Africa and that I should go back. They took my passport, leather jacket and R500 from me, but never charged me with a crime. Instead, they dropped me off at Hillbrow hospital rather than taking me to the police station.
6. I opened a case against those officers on 31 July 2008 but it is ongoing. I have the papers they gave me when I opened the case. They are annexed at RM1.
7. On 15 August 2008, I was arrested and taken to Sun City Correctional Facility. The police officers told me that I was here illegally since I did not have any papers. I responded by telling them about how my passport had been taken and that I had opened a complaint against the officers. They said they would need to look into it before believing my story.
8. I stayed in Sun City Correctional Facility for three months before I was released. That was a hard time for me as I was kept with criminals and I did not know how my family was doing.

R. M. S.

~~RM~~

9. It was while I was in prison that I learned about the Church. Some people said it had places to stay, but also that it had a school. I wanted to get an education so that I can help my family back home.
10. I started going to school in February 2009. I'm doing my Form 5 now, which is the equivalent of A levels in South Africa.

Arrest for Loitering

11. I was arrested again in April 2009. I cannot remember the exact date, but it was around 8:00 a.m. on a Saturday. I was crossing the street from the Church to buy some bread when I met with some South African Police Services ("SAPS") officers on the street. They asked me where my papers were. I told them how they had been taken from me and never returned, but they called me a liar and arrested me. I was taken to John Vorster police station.
12. At John Vorster they told me that I had been arrested for loitering. I asked how this could be possible—I had only been buying bread—but the officers did not respond. They gave me a piece of paper saying I had been loitering and directed me to sign it. When I refused, I was clubbed on the head and insulted for being Zimbabwean. I asked why they were not arresting everyone else who was walking down the street I had been on but they just said that I should go back to Zimbabwe and to Mugabe. I never did sign the sheet and I still have the copy that they gave me.

R. M. R
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13. Following this I was finger printed and taken into a cell where there was only a single toilet and a very small sink. There was not any ventilation in the cell. The blankets they gave me were dirty and the rubber sleeping mats were thin. In the mornings, I only received one slice of bread and some tea. Around 5:00 p.m., they would come around again and give us a spoon of rice and a spoon of soup.
14. On the following Monday morning, I, along with about one hundred others, were taken to Westgate Court. We stayed in the cells there the whole day as they called people out one at a time.
15. Toward the end of the day, I was approached by a police woman who said that unless I gave her money, she would make sure that I ended up going back to Sun City. I was very afraid of this prospect and worried that I would be deported this time. Out of fear, I gave her R600 to let me go. When I got out, it was around 6:00 p.m.
16. When I was released I was not told anything: they just let me go. I received neither a warning nor an idea of what I should do next. I now think that the police woman was just trying to extort money from me because I was young, afraid, and vulnerable.
17. I am scared of the police now and their continued harassment. I merely want to go to school, receive an education and take responsibility for my life. I want

R.M. B
A B

to work and make money to take care of my family. It is really hard with the police continuing to arrest people.

18. I do not know what to do or where to go. Right now, I am relying on the Bishop, but he cannot supply everything. The Bishop is doing a good thing for us and for me in particular because I do not have any relatives in South Africa that can help me.

[Handwritten signature]

DEPONENT

THUS DONE AND SWORN TO BEFORE ME at JOHANNESBURG on this the 5th day of October 2009 by the deponent who acknowledges that she/he knows and understands the contents of this affidavit and has no objection to taking the prescribed oath and regards same as binding on his/her conscience.

[Handwritten signature]

COMMISSIONER OF OATHS

SOLON NICOLAS PHITIDIS
5th FLOOR, BRAAM FISCHER HOUSE
25 RISSIK STREET, JOHANNESBURG 2001
COMMISSIONER of OATHS EX OFFICIO
PRACTISING ATTORNEY
REPUBLIC of SOUTH AFRICA

[Handwritten initials]

"RMI"



**POINT OUT NOTE
WE CARE ABOUT OUR COMMUNITY**

1. To all members of the SAPS :

The bearer of this note Mr/Mrs/Miss Raymond Maphatadla

is the complainant /witness in a case of Assault Comm

CBH

under Hillbrow cas 2670/07/2008

Please arrest the suspect(s) Please call
Supt Gostamang 082 628 1092

Warrant of arrest issued /not issued.

If pointed out by Bearer of this note please notify any police officer or the

investigating officer at Hillbrow SAPS Supt Gostamang

at tel no (011) 488-6511/488- 6517/10111

2. Complainant :

2.1. You are kindly notified that the investigation will temporarily be suspended.

2.2. If you have any new information please contact the investigating officer.

3. Original received by : [Signature]
SIGNATURE

Name in print : REYMOND

Place : HILLBROW

Date : 31 JULY 2008

dt/point out note

R.M.